36-11-101. Short title.

This chapter is known as the "Lobbyist Disclosure and Regulation Act."

Enacted by Chapter 280, 1991 General Session

36-11-102. Definitions.

As used in this chapter:

- (1) "Aggregate daily expenditures" means:
- (a) for a single lobbyist, principal, or government officer, the total of all expenditures made within a calendar day by the lobbyist, principal, or government officer for the benefit of an individual public official;
- (b) for an expenditure made by a member of a lobbyist group, the total of all expenditures made within a calendar day by every member of the lobbyist group for the benefit of an individual public official; or
- (c) for a multiclient lobbyist, the total of all expenditures made by the multiclient lobbyist within a calendar day for the benefit of an individual public official, regardless of whether the expenditures were attributed to different clients.
 - (2) "Approved meeting or activity" means a meeting or activity:
 - (a) (i) to which a legislator is invited; and
 - (ii) attendance at which is approved by:
- (A) the speaker of the House of Representatives, if the public official is a member of the House of Representatives; or
- (B) the president of the Senate, if the public official is a member of the Senate; or
- (b) (i) to which a public official who holds a position in the executive branch of state government is invited; and
 - (ii) attendance at which is approved by the governor or the lieutenant governor.
 - (3) "Capitol hill complex" is as defined in Section 63C-9-102.
- (4) (a) "Compensation" means anything of economic value, however designated, that is paid, loaned, granted, given, donated, or transferred to an individual for the provision of services or ownership before any withholding required by federal or state law.
 - (b) "Compensation" includes:
 - (i) a salary or commission;
 - (ii) a bonus;
 - (iii) a benefit:
 - (iv) a contribution to a retirement program or account;
- (v) a payment includable in gross income, as defined in Section 62, Internal Revenue Code, and subject to Social Security deductions, including a payment in excess of the maximum amount subject to deduction under Social Security law;
- (vi) an amount that the individual authorizes to be deducted or reduced for salary deferral or other benefits authorized by federal law; or
 - (vii) income based on an individual's ownership interest.
- (5) "Compensation payor" means a person who pays compensation to a public official in the ordinary course of business:
 - (a) because of the public official's ownership interest in the compensation payor;

- (b) for services rendered by the public official on behalf of the compensation payor.
 - (6) "Executive action" means:
 - (a) a nomination or appointment by the governor;
- (b) the proposal, drafting, amendment, enactment, or defeat by a state agency of a rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
 - (c) agency ratemaking proceedings; or
 - (d) an adjudicative proceeding of a state agency.
- (7) (a) "Expenditure" means any of the items listed in this Subsection (7)(a) when given to or for the benefit of a public official unless consideration of equal or greater value is received:
 - (i) a purchase, payment, or distribution;
 - (ii) a loan, gift, or advance;
 - (iii) a deposit, subscription, or forbearance;
 - (iv) services or goods;
 - (v) money;
 - (vi) real property;
 - (vii) a ticket or admission to a sporting, recreational, or artistic event; or
- (viii) a contract, promise, or agreement, whether or not legally enforceable, to provide any item listed in Subsections (7)(a)(i) through (vii).
 - (b) "Expenditure" does not mean:
 - (i) a commercially reasonable loan made in the ordinary course of business;
- (ii) a campaign contribution reported in accordance with Title 20A, Chapter 11, Campaign and Financial Reporting Requirements;
- (iii) printed informational material that is related to the performance of the recipient's official duties;
 - (iv) a devise or inheritance;
 - (v) any item listed in Subsection (7)(a) if:
 - (A) given by a relative;
- (B) given by a compensation payor for a purpose solely unrelated to the public official's position as a public official; or
 - (C) (I) the item has a value of less than \$10; and
 - (II) the aggregate daily expenditures do not exceed \$10;
- (vi) food or beverage that is provided at an event to which the following are invited:
 - (A) all members of the Legislature;
 - (B) all members of a standing or interim committee;
 - (C) all members of an official legislative task force;
 - (D) all members of a party caucus; or
- (E) all members of a group described in Subsections (7)(b)(vi)(A) through (D) who are attending a meeting of a national organization whose primary purpose is addressing general legislative policy;
 - (vii) food or beverage that is provided at an event to a public official who is:
 - (A) giving a speech at the event;

- (B) participating in a panel discussion at the event; or
- (C) presenting or receiving an award at the event;
- (viii) a plaque, commendation, or award presented in public and having a cash value not exceeding \$50;
 - (ix) admission to or attendance at an event, the primary purpose of which is:
 - (A) to solicit contributions reportable under:
 - (I) Title 20A, Chapter 11, Campaign and Financial Reporting Requirements; or
 - (II) 2 U.S.C. Sec. 434; or
 - (B) charitable solicitation, as defined in Section 13-22-2;
- (x) travel to, lodging at, food or beverage served at, and admission to an approved meeting or activity;
- (xi) sponsorship of an official event or official entertainment of an approved meeting or activity;
- (xii) notwithstanding Subsection (7)(a)(vii), admission to or attendance at an event:
 - (A) that is sponsored by a governmental entity; or
- (B) that is widely attended and related to a governmental duty of a public official; or
- (xiii) travel to a widely attended event related to a governmental duty of a public official if that travel results in a financial savings to the state.
 - (8) (a) "Government officer" means:
- (i) an individual elected to a position in state or local government, when acting within the government officer's official capacity; or
- (ii) an individual appointed to or employed in a full-time position by state or local government, when acting within the scope of the individual's employment.
- (b) "Government officer" does not mean a member of the legislative branch of state government.
 - (9) "Immediate family" means:
 - (a) a spouse;
 - (b) a child residing in the household; or
 - (c) an individual claimed as a dependent for tax purposes.
 - (10) "Legislative action" means:
- (a) a bill, resolution, amendment, nomination, veto override, or other matter pending or proposed in either house of the Legislature or its committees or requested by a legislator; and
 - (b) the action of the governor in approving or vetoing legislation.
- (11) "Lobbying" means communicating with a public official for the purpose of influencing the passage, defeat, amendment, or postponement of legislative or executive action.
 - (12) (a) "Lobbyist" means:
 - (i) an individual who is employed by a principal; or
- (ii) an individual who contracts for economic consideration, other than reimbursement for reasonable travel expenses, with a principal to lobby a public official.
 - (b) "Lobbyist" does not include:
 - (i) a government officer;
 - (ii) a member or employee of the legislative branch of state government;

- (iii) a person while appearing at, or providing written comments to, a hearing conducted in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act or Title 63G, Chapter 4, Administrative Procedures Act;
- (iv) a person participating on or appearing before an advisory or study task force, commission, board, or committee, constituted by the Legislature or any agency or department of state government, except legislative standing, appropriation, or interim committees;
 - (v) a representative of a political party;
- (vi) an individual representing a bona fide church solely for the purpose of protecting the right to practice the religious doctrines of the church, unless the individual or church makes an expenditure that confers a benefit on a public official;
- (vii) a newspaper, television station or network, radio station or network, periodical of general circulation, or book publisher for the purpose of publishing news items, editorials, other comments, or paid advertisements that directly or indirectly urge legislative or executive action; or
- (viii) an individual who appears on the individual's own behalf before a committee of the Legislature or an agency of the executive branch of state government solely for the purpose of testifying in support of or in opposition to legislative or executive action.
- (13) "Lobbyist group" means two or more lobbyists, principals, government officers, or any combination of lobbyists, principals, and officers who each contribute a portion of an expenditure made to benefit a public official or member of the public official's immediate family.
- (14) "Multiclient lobbyist" means a single lobbyist, principal, or government officer who represents two or more clients and divides the aggregate daily expenditure made to benefit a public official or member of the public official's immediate family between two or more of those clients.
- (15) "Principal" means a person that employs an individual to perform lobbying, either as an employee or as an independent contractor.
 - (16) "Public official" means:
 - (a) (i) a member of the Legislature;
- (ii) an individual elected to a position in the executive branch of state government; or
- (iii) an individual appointed to or employed in a position in the executive or legislative branch of state government if that individual:
- (A) occupies a policymaking position or makes purchasing or contracting decisions;
 - (B) drafts legislation or makes rules;
 - (C) determines rates or fees; or
 - (D) makes adjudicative decisions; or
 - (b) an immediate family member of a person described in Subsection (16)(a).
 - (17) "Public official type" means a notation to identify whether a public official is:
 - (a) (i) a member of the Legislature;
- (ii) an individual elected to a position in the executive branch of state government;
 - (iii) an individual appointed to or employed in a position in the legislative branch

of state government who meets the definition of public official under Subsection (16)(a)(iii); or

- (iv) an individual appointed to or employed in a position in the executive branch of state government who meets the definition of public official under Subsection (16)(a)(iii); or
 - (b) an immediate family member of a person described in Subsection (16)(a).
- (18) "Quarterly reporting period" means the three-month period covered by each financial report required under Subsection 36-11-201(2)(a).
- (19) "Related person" means a person, agent, or employee who knowingly and intentionally assists a lobbyist, principal, or government officer in lobbying.
- (20) "Relative" means a spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin, or spouse of any of these individuals.

Amended by Chapter 335, 2014 General Session

36-11-103. Licensing requirements.

- (1) (a) Before engaging in any lobbying, a lobbyist shall obtain a license from the lieutenant governor by completing the form required by this section.
 - (b) The lieutenant governor shall issue licenses to qualified lobbyists.
- (c) The lieutenant governor shall prepare a Lobbyist License Application Form that includes:
 - (i) a place for the lobbyist's name and business address;
- (ii) a place for the following information for each principal for whom the lobbyist works or is hired as an independent contractor:
 - (A) the principal's name;
 - (B) the principal's business address;
- (C) the name of each public official that the principal employs and the nature of the employment with the public official; and
 - (D) the general purposes, interests, and nature of the principal;
- (iii) a place for the name and address of the person who paid or will pay the lobbyist's registration fee, if the fee is not paid by the lobbyist;
 - (iv) a place for the lobbyist to disclose:
- (A) any elected or appointed position that the lobbyist holds in state or local government, if any; and
- (B) the name of each public official that the lobbyist employs and the nature of the employment with the public official, if any;
- (v) a place for the lobbyist to disclose the types of expenditures for which the lobbyist will be reimbursed; and
- (vi) a certification to be signed by the lobbyist that certifies that the information provided in the form is true, accurate, and complete to the best of the lobbyist's knowledge and belief.
- (2) Each lobbyist who obtains a license under this section shall update the licensure information when the lobbyist accepts employment for lobbying by a new client.
 - (3) (a) Except as provided in Subsection (4), the lieutenant governor shall grant

a lobbying license to an applicant who:

- (i) files an application with the lieutenant governor that contains the information required by this section; and
 - (ii) pays a \$110 filing fee.
- (b) A license entitles a person to serve as a lobbyist on behalf of one or more principals and expires on December 31 of each even-numbered year.
- (4) (a) The lieutenant governor may disapprove an application for a lobbying license:
- (i) if the applicant has been convicted of violating Section 76-8-103, 76-8-107, 76-8-108, or 76-8-303 within five years before the date of the lobbying license application;
- (ii) if the applicant has been convicted of violating Section 76-8-104 or 76-8-304 within one year before the date of the lobbying license application;
 - (iii) for the term of any suspension imposed under Section 36-11-401;
- (iv) if, within one year before the date of the lobbying license application, the applicant has been found to have willingly and knowingly:
- (A) violated this section or Section 36-11-201, 36-11-301, 36-11-302, 36-11-303, 36-11-304, 36-11-305, or 36-11-403; or
- (B) filed a document required by this chapter that the lobbyist knew contained materially false information or omitted material information; or
- (v) if the applicant is prohibited from becoming a lobbyist under Title 67, Chapter 24, Lobbying Restrictions Act.
- (b) An applicant may appeal the disapproval in accordance with the procedures established by the lieutenant governor under this chapter and Title 63G, Chapter 4, Administrative Procedures Act.
 - (5) The lieutenant governor shall:
 - (a) deposit \$100 of each license fee into the General Fund; and
- (b) deposit \$10 of each license fee into the General Fund as a dedicated credit to be used by the lieutenant governor to pay the cost of administering the license program described in this section.
- (6) A principal need not obtain a license under this section, but if the principal makes expenditures to benefit a public official without using a lobbyist as an agent to confer those benefits, the principal shall disclose those expenditures as required by Section 36-11-201.
- (7) Government officers need not obtain a license under this section, but shall disclose any expenditures made to benefit public officials as required by Section 36-11-201.
- (8) Surrender, cancellation, or expiration of a lobbyist license does not absolve the lobbyist of the duty to file the financial reports if the lobbyist is otherwise required to file the reports by Section 36-11-201.

Amended by Chapter 335, 2014 General Session

36-11-106. Reports are public documents.

- (1) Any person may:
- (a) without charge, inspect a license application or financial report filed with the

lieutenant governor in accordance with this chapter; and

- (b) make a copy of a report after paying for the actual costs of the copy.
- (2) The lieutenant governor shall make financial reports filed in accordance with this chapter available for viewing on the Internet at the lieutenant governor's website within seven calendar days after the report is received by the lieutenant governor.

Amended by Chapter 317, 2002 General Session

36-11-201. Lobbyist, principal, and government officer financial reporting requirements -- Prohibition for related person to make expenditures.

- (1) (a) (i) A lobbyist shall file financial reports with the lieutenant governor on or before the due dates specified in Subsection (2).
- (ii) If a lobbyist has not made an expenditure during the quarterly reporting period, the lobbyist shall file a financial report listing the amount of expenditures as "none."
- (b) A government officer or principal that makes an expenditure during any of the quarterly reporting periods under Subsection (2)(a) shall file a financial report with the lieutenant governor on or before the date that a report for that quarter is due.
 - (2) (a) A financial report is due quarterly on the following dates:
 - (i) April 10, for the period of January 1 through March 31;
 - (ii) July 10, for the period of April 1 through June 30;
 - (iii) October 10, for the period of July 1 through September 30; and
- (iv) January 10, for the period of October 1 through December 31 of the previous year.
- (b) If the due date for a financial report falls on a Saturday, Sunday, or legal holiday, the report is due on the next succeeding business day.
- (c) A financial report is timely filed if it is filed electronically before the close of regular office hours on or before the due date.
 - (3) A financial report shall contain:
- (a) the total amount of expenditures made to benefit any public official during the quarterly reporting period;
- (b) the total amount of expenditures made, by the type of public official, during the quarterly reporting period;
 - (c) for the financial report due on January 10:
- (i) the total amount of expenditures made to benefit any public official during the last calendar year; and
- (ii) the total amount of expenditures made, by the type of public official, during the last calendar year;
- (d) a disclosure of each expenditure made during the quarterly reporting period to reimburse or pay for travel or lodging for a public official, including:
 - (i) each travel destination and each lodging location;
- (ii) the name of each public official who benefitted from the expenditure on travel or lodging;
 - (iii) the public official type of each public official named;
- (iv) for each public official named, a listing of the amount and purpose of each expenditure made for travel or lodging; and

- (v) the total amount of expenditures listed under Subsection (3)(d)(iv);
- (e) a disclosure of aggregate daily expenditures greater than \$10 made during the quarterly reporting period including:
 - (i) the date and purpose of the expenditure;
 - (ii) the location of the expenditure;
 - (iii) the name of any public official benefitted by the expenditure;
 - (iv) the type of the public official benefitted by the expenditure; and
- (v) the total monetary worth of the benefit that the expenditure conferred on any public official;
- (f) for each public official who was employed by the lobbyist, principal, or government officer, a list that provides:
 - (i) the name of the public official; and
 - (ii) the nature of the employment with the public official;
- (g) each bill or resolution, by number and short title, on behalf of which the lobbyist, principal, or government officer made an expenditure to a public official;
- (h) a description of each executive action on behalf of which the lobbyist, principal, or government officer made an expenditure to a public official;
- (i) the general purposes, interests, and nature of the entities that the lobbyist, principal, or government officer filing the report represents; and
- (j) for a lobbyist, a certification that the information provided in the report is true, accurate, and complete to the lobbyist's best knowledge and belief.
- (4) A related person may not, while assisting a lobbyist, principal, or government officer in lobbying, make an expenditure that benefits a public official under circumstances that would otherwise fall within the disclosure requirements of this chapter if the expenditure was made by the lobbyist, principal, or government officer.
 - (5) The lieutenant governor shall:
- (a) (i) develop a preprinted form for a financial report required by this section; and
- (ii) make copies of the form available to a lobbyist, principal, or government officer who requests a form; and
- (b) provide a reporting system that allows a lobbyist, principal, or government officer to submit a financial report required by this chapter via the Internet.
- (6) (a) A lobbyist and a principal shall continue to file a financial report required by this section until the lobbyist or principal files a statement with the lieutenant governor that:
 - (i) states:
 - (A) for a lobbyist, that the lobbyist has ceased lobbying activities; or
- (B) for a principal, that the principal no longer employs an individual as a lobbyist;
- (ii) in the case of a lobbyist, states that the lobbyist is surrendering the lobbyist's license;
- (iii) contains a listing, as required by this section, of all previously unreported expenditures that have been made through the date of the statement; and
- (iv) states that the lobbyist or principal will not make any additional expenditure that is not disclosed on the statement unless the lobbyist or principal complies with the disclosure and licensing requirements of this chapter.

(b) A person that fails to renew the lobbyist's license or otherwise ceases to be licensed is required to file a financial report quarterly until the person files the statement required by Subsection (6)(a).

Amended by Chapter 325, 2010 General Session

36-11-301. Contingent compensation prohibited.

A person may not employ or solicit another to serve as a lobbyist for compensation contingent in whole or part upon the passage, defeat, or amendment of legislative action or the approval, modification, or denial of a certain executive action.

Enacted by Chapter 280, 1991 General Session

36-11-302. Improper influence -- Communication with a legislator's employer prohibited.

A person may not seek to influence the vote of any legislator through communication with the legislator's employer.

Enacted by Chapter 280, 1991 General Session

36-11-303. Prohibition on communicating false information to a public officer.

A person may not intentionally communicate to a public official any false information materially related to a matter within the responsibility of the public official.

Enacted by Chapter 280, 1991 General Session

36-11-304. Expenditures over \$10 prohibited -- Exceptions.

- (1) Except as provided in Subsection (2), a lobbyist, principal, or government officer may not make or offer to make aggregate daily expenditures that exceed \$10.
- (2) A lobbyist, principal, or government officer may make aggregate daily expenditures that exceed \$10:
- (a) for the following items, if the expenditure is reported in accordance with Section 36-11-201:
 - (i) food:
 - (ii) beverage;
 - (iii) travel;
 - (iv) lodging; or
- (v) admission to or attendance at a meeting or activity that is not an approved meeting or activity; or
- (b) if the expenditure is made for a purpose solely unrelated to the public official's position as a public official.

Repealed and Re-enacted by Chapter 325, 2010 General Session

36-11-305. Campaign contribution during session prohibited.

- (1) It is unlawful for a person, lobbyist, principal, or political committee to make a campaign contribution or contract, promise, or agree to make a campaign contribution to a legislator or a legislator's personal campaign committee, or a political action committee controlled by a legislator during the time the Legislature is convened in annual general session, veto override session, or special session.
- (2) It is unlawful for a person, lobbyist, principal, or political committee to make a campaign contribution, or contract, promise, or agree to make a campaign contribution, to the governor, the governor's personal campaign committee, or a political action committee controlled by the governor during the time the Legislature is convened in annual general session, veto override session, special session, or during the time period established by the Utah Constitution, Article VII, Section 8, for the governor to approve or veto bills passed by the Legislature in the annual general session.
 - (3) Any person who violates this section is guilty of a class A misdemeanor.

Amended by Chapter 250, 2011 General Session

36-11-305.5. Lobbyist requirements.

- (1) The lieutenant governor shall issue to each lobbyist a name tag that includes:
 - (a) the word "Lobbyist" in at least 18-point type; and
 - (b) the first and last name of the lobbyist, in at least 18-point type.
- (2) Beginning on August 1, 2014, a lobbyist may not lobby a public official while the lobbyist is at the capitol hill complex unless the lobbyist is wearing the name tag described in Subsection (1) in plain view.
- (3) A lobbyist shall, at the beginning of making a communication to a public official that constitutes lobbying, inform the public official of the identity of the principal on whose behalf the lobbyist is lobbying.

Enacted by Chapter 335, 2014 General Session

36-11-306. Conflicts of interest.

- (1) As used in this section, "conflict of interest" means a circumstance where:
- (a) the representation of one principal or client will be directly adverse to another principal or client; or
- (b) there is a significant risk that the representation of one or more principals or clients will be materially limited by the lobbyist's responsibilities to:
 - (i) another principal or client; or
 - (ii) a personal interest of the lobbyist.
- (2) Except as provided in Subsection (3), a lobbyist may not represent a principal or client if the representation involves a conflict of interest.
- (3) Notwithstanding the existence of a conflict of interest, a lobbyist may represent a principal or client if:
- (a) the lobbyist reasonably believes that the lobbyist will be able to provide competent and diligent representation to each principal or client;
 - (b) the representation is not otherwise prohibited by law;
 - (c) the representation does not require the lobbyist to assert a position on behalf

of one principal or client that is opposed to the position of another principal or client represented by the lobbyist involving the same legislative issue; and

(d) each affected principal or client gives informed consent to the conflict of interest in writing.

Enacted by Chapter 233, 2007 General Session

36-11-307. Ethics training course for lobbyists -- Internet availability -- Content -- Participation tracking -- Penalty.

- (1) The lieutenant governor shall develop and maintain an ethics training course for lobbyists.
- (2) The ethics training course shall include training materials and exercises that are available on the Internet to lobbyists and to the public.
- (3) The ethics training course shall be designed to assist lobbyists in understanding and complying with current ethical and campaign finance requirements under state law, legislative rules, and federal law.
- (4) The ethics training course shall include provisions for verifying when a lobbyist has successfully completed key training exercises.
- (5) A lobbyist shall successfully complete the key training exercises of the ethics training course once each year.
- (6) A lobbyist who does not complete the training required by this section is subject to a penalty as provided in Section 36-11-401.

Enacted by Chapter 389, 2011 General Session

36-11-401. Penalties.

- (1) Any person who intentionally violates Section 36-11-103, 36-11-201, 36-11-301, 36-11-302, 36-11-303, 36-11-304, 36-11-305, 36-11-308, or 36-11-403, is subject to the following penalties:
 - (a) an administrative penalty of up to \$1,000 for each violation; and
 - (b) for each subsequent violation of that same section within 24 months, either:
 - (i) an administrative penalty of up to \$5,000; or
- (ii) suspension of the violator's lobbying license for up to one year, if the person is a lobbyist.
- (2) Any person who intentionally fails to file a financial report required by this chapter, omits material information from a license application form or financial report, or files false information on a license application form or financial report, is subject to the following penalties:
 - (a) an administrative penalty of up to \$1,000 for each violation; or
- (b) suspension of the violator's lobbying license for up to one year, if the person is a lobbyist.
- (3) Any person who intentionally fails to file a financial report required by this chapter on the date that it is due shall, in addition to the penalties, if any, imposed under Subsection (1) or (2), pay a penalty of up to \$50 per day for each day that the report is late.
 - (4) (a) When a lobbyist is convicted of violating Section 76-8-103, 76-8-107,

76-8-108, or 76-8-303, the lieutenant governor shall suspend the lobbyist's license for up to five years from the date of the conviction.

- (b) When a lobbyist is convicted of violating Section 76-8-104 or 76-8-304, the lieutenant governor shall suspend a lobbyist's license for up to one year from the date of conviction.
- (5) (a) Any person who intentionally violates Section 36-11-301, 36-11-302, or 36-11-303 is guilty of a class B misdemeanor.
- (b) The lieutenant governor shall suspend the lobbyist license of any person convicted under any of these sections for up to one year.
- (c) The suspension shall be in addition to any administrative penalties imposed by the lieutenant governor under this section.
- (d) Any person with evidence of a possible violation of this chapter may submit that evidence to the lieutenant governor for investigation and resolution.
- (6) A lobbyist who does not complete the training required by Section 36-11-307 is subject to the following penalties:
- (a) an administrative penalty of up to \$1,000 for each failure to complete the training required by Section 36-11-307; and
- (b) for two or more failures to complete the training required by Section 36-11-307 within 24 months, suspension of the lobbyist's lobbying license.
 - (7) Nothing in this chapter creates a third-party cause of action or appeal rights.

Amended by Chapter 335, 2014 General Session

36-11-403. Lobbying without a license.

- (1) No person may engage in any lobbying activities:
- (a) without the license required by this chapter;
- (b) during the period of any bar from obtaining a license; or
- (c) when the license has been suspended or revoked.
- (2) The attorney general may seek injunctive relief against any person violating this section.

Enacted by Chapter 280, 1991 General Session

36-11-404. Lieutenant governor's procedures.

- (1) The lieutenant governor shall make rules that provide:
- (a) for the appointment of an administrative law judge to adjudicate alleged violations of this section and to impose penalties under this section;
- (b) procedures for license applications, disapprovals, suspensions, revocations, and reinstatements that comply with the procedures and requirements of Title 63G, Chapter 4. Administrative Procedures Act.
- (2) The lieutenant governor shall develop forms needed for the registration and disclosure provisions of this chapter.

Amended by Chapter 382, 2008 General Session

36-11-405. Construction and interpretation -- Freedom of expression,

participation, and press.

No provision of this chapter may be construed, interpreted, or enforced so as to limit, impair, abridge, or destroy any person's right of freedom of expression and participation in government processes or freedom of the press.

Enacted by Chapter 280, 1991 General Session